

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

**U.S. Bank Trust, N.A., as Trustee for
LSF10 Master Participation Trust**

Plaintiff

vs.

**Gloria J. Nye n/k/a Gloria J. Rizeakos
and Benjamin P. Campo, Jr., Esq., as
Special Administrator of the Estate of
Charles J. Nye, Jr. a/k/a Charles J. Nye**

Defendants

Case No. 2:21-cv-00084-LEW

CONSENT JUDGMENT OF FORECLOSURE AND SALE

4 Galina Lane, f/k/a 191 Dyer Road, Lewiston, Maine
Book: 6686, Page 250

Now comes the Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust, and the Defendants, Gloria J. Nye n/k/a Gloria J. Rizeakos and Benjamin P. Campo, Jr., Esq., as Special Administrator of the Estate of Charles J. Nye, Jr. a/k/a Charles J. Nye, and hereby submit this Consent Judgment of Foreclosure and Sale.

JUDGMENT on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

- . If the Defendants or their heirs or assigns pay U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust (“U.S. Bank”) the amount adjudged due and owing (\$405,476.56) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A §

6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing as of November 15, 2021:

Description	Amount
Principal Balance	\$207,502.99
Interest	\$89,163.63
Escrow Advance	\$60,153.63
Recoverable Balance	\$48,656.31
Grand Total	\$405,476.56

1. If the Defendants or their heirs or assigns do not pay U.S. Bank the amount adjudged due and owing (\$405,476.56) within 90 days of the judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of the Lewiston Property shall terminate, and U.S. Bank shall conduct a public sale of the Lewiston Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$405,476.56 after deducting the expenses of the sale, with any surplus to the Defendants or the heirs or assigns, in accordance with 14 M.R.S.A. § 6324. U.S. Bank may not seek a deficiency judgment against the pursuant to the Plaintiff's waiver of deficiency.
2. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
3. The amount due and owing is \$405,476.56.

4. U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust has first priority, in the amount of \$405,476.56, pursuant to the subject Note and Mortgage and there are no parties in interest other than the Defendants who have second priority.
5. The prejudgment interest rate is 3.12500%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is .15 %, *see* 28 U.S.C. § 1961.
6. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	<u>PARTIES</u>	<u>COUNSEL</u>
PLAINTIFF	U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust 13801 Wireless Way Oklahoma City, OK 73134	Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 303C Beverly, MA 01915
DEFENDANTS	Benjamin P. Campo, Jr., Esq., as Special Administrator of the Estate of Charles J. Nye, Jr. a/k/a Charles J. Nye 90 Bridge Street, Suite 100 Westbrook, ME 04092	Pro Se
	Gloria J. Nye n/k/a Gloria J. Rizeakos 236 Maine St. Apt 2B Saco, ME 04072	Charlene E. Philbrook, Esq. Beacon Law Offices 49 Waterhouse Road Dayton, ME 04005

- a) The docket number of this case is No. 2:21-cv-00084-LEW.
- b) The Defendants, the only parties to these proceedings besides U.S. Bank, received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 4 Galina Lane, f/k/a 191 Dyer Road, Lewiston, ME 04240, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 4 Galina Lane, f/k/a 191 Dyer Road, Lewiston, ME 04240. The Mortgage was executed by the Defendants, Charles J. Nye a/k/a Charles J. Nye, Jr. and Gloria J. Nye n/k/a Gloria J. Rizeakos on February 27, 2006. The book and page number of the Mortgage in the Androscoggin County Registry of Deeds is Book 6686, Page 250.
- e) This judgment shall not create any personal liability on the part of the Defendants but shall act solely as an in rem judgment against the property, 4 Galina Lane, f/k/a 191 Dyer Road, Lewiston, ME 04240.

Dated: December 13, 2021

/s/ Reneau J. Longoria, Esq.
Reneau J. Longoria, Esq., Bar No. 5746
Attorneys for Plaintiff
Doonan, Graves & Longoria, LLC
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Beverly, MA 01915
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RJL@dgndl.com

Dated: December 10, 2021

/s/ Benjamin P. Campo, Jr., Esq.

Benjamin P. Campo, Jr., Esq., as Special
Administrator of the Estate of Charles J.
Nye, Jr. a/k/a Charles J. Nye
90 Bridge Street, Suite 100
Westbrook, ME 04092

Dated: December 10, 2021

/s/ Gloria J. Nye n/k/a Gloria J. Rizeakos

Gloria J. Nye n/k/a Gloria J. Rizeakos
236 Maine St. Apt 2B
Saco, ME 04072

SO ORDERED.

Dated this 20th day of December, 2021.

/s/ Lance E. Walker
UNITED STATES DISTRICT JUDGE